



State of Utah

Department of  
Natural Resources

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Division of  
Oil, Gas & Mining

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*Lieutenant Governor*

June 14, 2004

Brad Boyter  
Western Clay Company  
508 East Center  
P.O. Box 127  
Aurora, Utah 84620-0127

Subject: Conditional Acceptance of Amended Notice of Intention to Commence Small Mining Activities, Western Clay Company, Aurora Clay Mine, S/041/033, Sevier County, Utah

Dear Mr. Boyter:

Thank you for your Amended Notice of Intent (notice) and maps received June 10, 2004, concerning your proposed change to your Aurora Clay small mine. Your proposal to change the location of the originally approved notice to an immediate adjacent area and "trade" 2.0279 acres of undisturbed area to 1.1250 and 0.6629 acres in the nearby area is found acceptable to the Division with the following condition.

Condition of Acceptance

As you are aware, the Utah Legislature now requires that all mining activities have reclamation surety posted. Therefore, for your proposed 3.3 acres of disturbance at the Aurora Clay mine, a \$14,000 reclamation surety will be required. As soon as the surety and accompanying Reclamation Contract are received, you may commence with your operations as outlined. The surety can be submitted in the form of a surety bond, an irrevocable letter of credit, a certificate of deposit, or cash. If you submit a cash bond, please be advised that there will be a maintenance fee charged by the State Treasurer. When you choose the form of surety you will post, please contact Joelle Burns at (801) 538-5291 or e-mail [joelleburns@utah.gov](mailto:joelleburns@utah.gov) to obtain the current forms, or you may obtain them on the internet at [www.ogm.ut.gov](http://www.ogm.ut.gov). **Please be advised that no mining related disturbance can be created in the new proposed area until the surety is received and you have received final written acceptance from this office.**

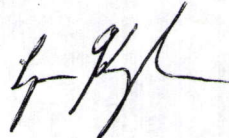
Please submit the surety and Reclamation Contract w/in the next 30 days, or we will withdraw our conditional approval of this proposal. Before finalizing

Brad Boyter  
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the documents, please fax a "draft" copy so we can review them for completeness and accuracy. We will then inform you if corrections need to be made or if the final documents can be submitted.

Thank you for your cooperation to help finalize this permitting action. In reply, please refer to file number S/041/033.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Kunzler', with a stylized flourish at the end.

Lynn Kunzler  
Senior Reclamation Biologist

LK:jb  
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